THE HON'BLE MR JUSTICE L.NARASIMHA REDDY

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WRIT PETITION No. 25352 of 2005

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Dated: 29.11.2005

Between:

K.Prabhakar, s/o Papaiah,
Tech.(M)(S-5), E.S.& Fdy.Dept.,

Works Division, Visakhapatnam Steel Plant,

Visakhapatnam.

..... PETITIONER

AND

The Visakhapatnam Steel Plant, Visakhapatnam,
represented by its General Manager (Maintenance)
and Reviewing Authority and others.

.....RESPONDENTS

ORDER:

The petitioner is an employee of Visakhapatnam Steel Plant. He submitted certain medical bills in the year 2003 stating that he incurred the amount covered by the two bills for the treatment of his father at “CITI hospital”, Visakhapatnam. The petitioner was paid substantial amounts, after verification of the bills.

Disciplinary proceedings were initiated against the petitioner alleging that during the course of verification, it emerged that the hospital, where the father of the petitioner is said to have been treated, was closed in the year 2002 itself. On finding that the

explanation submitted by the petitioner is not convincing, an enquiry officer was appointed and he, in turn, submitted a report holding that the charges against the petitioner are proved. On a consideration of the report of the enquiry officer, the disciplinary authority passed an order dated 30.10.2004 imposing the punishment of reduction of the basic pay of the petitioner by one stage. The petitioner challenged the same by filing an appeal as well as review, unsuccessfully. Hence, this writ petition.

Heard the learned counsel for the petitioner and the learned Standing Counsel for the respondents.

A perusal of the order passed by the disciplinary authority discloses that the hospital, where the father of the petitioner is said to have undergone treatment in the year 2003, was wound up in the year 2002 itself. Substantial documentary evidence was placed by the Presenting Officer during the course of enquiry. Except making a flat denial, the petitioner did not place any material before the enquiry officer to establish that the hospital was functioning at the relevant point of time. In all humility, it must be said that the disciplinary authority has taken a lenient and sympathetic view of the matter and left the petitioner with the mildest possible punishment. Hence, this Court does not find any base to interfere with the same.

Accordingly, the writ petition is dismissed. There shall be no order as to costs.

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29.11.2005

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